

FILED
CHARLOTTE, NC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

NOV 6 2020

US DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA

v.

Bernard Sherrill
Defendant

Criminal Case No. 0419 3:09CR00106-
001

**AGREED ORDER AND JUDGMENT
TO REVOKE SUPERVISED RELEASE**

Upon petition of the U.S. Probation Office, joined herein by the United States and the defendant, to revoke the supervised release of defendant Bernard Sherrill and for good cause shown therein, and also based on agreement of the parties as set forth herein:

AGREEMENT OF UNITED STATES AND DEFENDANT

The defendant agrees and stipulates that he/she has violated the terms and conditions of supervised release in the following respects:

1. FAILURE TO NOTIFY OF ADDRESS CHANGE (Date violation concluded: 8/21/2020). The defendant has violated the condition of supervision that states, "The defendant shall notify the probation officer within 72 hours of any change in residence or employment," in that, the defendant moved from his approved residence in the Middle District of Florida without prior permission. Probation officers in the Middle District of Florida and in the Western District of North Carolina have made multiple attempts to contact the defendant in person and via telephone. The defendant has failed to respond to any of these attempts to contact him. GRADE C

The parties stipulate, pursuant to Chapter 7 Policy Statements, U.S. Sentencing Guidelines, that the defendant's violation is a maximum Grade C and that the defendant has a Criminal History Category of V.

The parties stipulate, based on U.S.S.G. §7B1.4, that the Guidelines range of imprisonment for a Grade C violation and a Criminal History Category of V is a term of imprisonment from 7 to 13 months.

The parties agree, pursuant to Rules 11(c)(1)(C) and 32.1, Federal Rules of Criminal Procedure, that the Court should revoke supervised release and order the defendant to be imprisoned for a period of 13 months. If the Court rejects this sentencing agreement, the defendant has the right to withdraw from this Agreed Order and have an evidentiary hearing on the petition for revocation of supervised release.

DEFENDANT'S ACKNOWLEDGMENT AND WAIVER

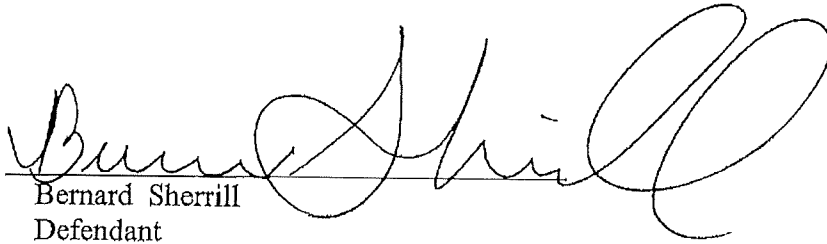
~~The defendant acknowledges that he/she is admitting the violations of supervised release~~
because he/she did, in fact, violate the conditions of supervised release set forth above.

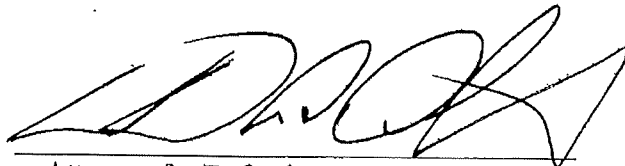
The defendant acknowledges that he/she has had an opportunity 1) to review the written notice of the alleged violations of supervised release and 2) to review the evidence against him/her related to those alleged violations.

The defendant further acknowledges that he/she is aware of the following rights and is knowingly waiving these rights in exchange for the agreed sentence:

- 1) The opportunity to appear personally, present evidence, and question adverse witnesses at a revocation hearing; and

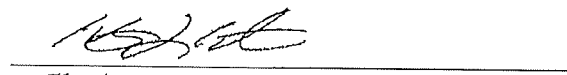
APPROVED



Bernard Sherrill
Defendant


Attorney for Defendant
William Anthony



Assistant United States Attorney
Steven R. Kaufman


Glynis Eaton
Supervisory U.S. Probation Officer


Corey Campbell
Program Development Specialist